

My name is Paul R. Goodman and I hold an amateur radio Extra Class license and my call sign is K2ORC. I ask the Commission to please consider the following comments in opposition to Petition for Rulemaking RM-10740.

1) The petition contains no objective evidence that proves a need for the imposition of bandwidth limitations.

The petition has appended to it two exhibits, the first of which is an Advisory Notice, dated April 3, 2003, sent to an amateur radio operator by the FCC Enforcement Division. Similar letters were sent to three other amateurs at the same time. The second exhibit is an excerpt from a website describing the mechanism for setting up transmit audio for “Hi-Fi Audio SSB”. The petition is otherwise devoid of objective supporting documentation to indicate the need to disturb that portion of Rule 97 which presently addresses bandwidth.

From the petition and the two appended exhibits, the reader cannot even know on which frequency or frequencies the acts complained of occurred or when. We are only told in the petition’s Introduction that there is one group of amateurs that intentionally cause splatter and “appears on the amateur bands during international radio contests”. These amateurs are not identified, nor are we told how many there are, or for that matter if they are even from the United States.

The second group, who experiment with high fidelity audio SSB, are evidently the four recipients of the above-referenced Advisory Notices. The petition fails to show that interest in this particular sort of experimentation extends beyond the recipients of Advisory Notices. Rather the petition indicates that the experiments by this second group has been “excoriated by [FCC Special Counsel] Hollingsworth and hundreds of complaining amateurs.” The word “hundreds” appears nowhere in the Advisory Notice, the word “numerous” does. This sort of bolstering does nothing to help petitioners’ claims that there is a need for bandwidth limitations.

2) The petition as it seeks to impose bandwidth limitations on AM is without merit.

While the petition addresses problems that solely involve SSB users, petitioners seek the imposition of a 5.6 kHz bandwidth limitation on AM. Nowhere have petitioners established that AM users are responsible for any of the acts complained of within the petition. As such there is no basis in fact for disturbing the present provisions of the rules as they pertain to AM.

The petitioners’ proposal that AM users whose signals might at some point occupy more than 5.6 kHz of bandwidth should be restricted to the 10 meter band is completely without justification. While petitioners claim their petition does not represent support for ““channelization”” of the amateur bands” (Petition, section 3.0) it seems to me that is exactly what it does. The imposition of a maximum bandwidth limitation of 5.6 KHz would create an AM “ghetto” on 10 meters to which AM users would necessarily have to exile themselves so as to avoid complaints – justified or not – that their signals were wider than 5.6 KHz.

3) The Commission already has the power to punish those who create deliberate interference.

If amateur radio operators deliberately cause splatter during a contest in order, as the petition's Introduction puts it "to provide themselves 'elbowroom'" the FCC already has the power to sanction such operators under the present rules. Further, the petition has appended to it no Advisory Notices or other letters have been sent by the FCC's Enforcement Division to operators who have engaged in such activity. If this problem is so bad that it requires an amendment to Rule 97, surely a number of such Notices or letters have been sent to offenders and copies are available. If there are letters from the Enforcement Division which allege creation of splatter by an amateur radio contestor who was seeking "elbowroom", that individual would be liable to FCC sanction without need for the amendments the petition seeks.

4) Conclusion

Amateur radio has been a home to experimenters of all sorts since the days of spark gap. Part of our mandate as amateur radio operators is to contribute to the advancement of the radio art, and the rules that govern us encourage us to advance our communications and technical skills. The rule changes that petitioners seek fly in the face of an essential component of amateur radio – experimentation. I submit to the Commission that amateur radio has thrived for decades without specific bandwidth limitations and that it will continue to do thrive in the future without them.

I ask that the Commission please reject Petition for Rulemaking RM-10740 in its entirety as being contrary to the best interests of amateur radio.

Respectfully submitted,

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